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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/438,288	11/12/1999	CHENGKE SHENG	SC91189A	9114

7590

06/10/2004

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EXAMINER

KUMAR, PANKAJ

ART UNIT

PAPER NUMBER

2631

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DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/438,288

Applicant(s)

SHENG, CHENGKE

Examiner

Pankaj Kumar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7, 9, 18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 is/are allowed.
- 6) ☒ Claim(s) 7, 9, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 7, 9, 18, 19 have been considered but are moot in view of the new ground(s) of rejection.
2. It is noted that claim 9 current recites that the only amendment made to it was the dependency from claim 8 to claim 7; however, this is not accurate since almost all of claim 9 seems to have been amended.

Response to Amendment

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7, 9, 18, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lefever USPN 4,599,732.

5. As per claim 7, (preamble is not afforded patentable weight) Lefever teaches storing a first scan window of the digital information (Lefever figs. 3, 4, 5: R1i is stored in ROM.); scanning the first scan window (Lefever fig. 4: R1i) for all instances of a first symbol of the symbol information (Lefever fig. 4: R1i is correlated in the frames and this involves scanning; fig. 3: 64: "ROM known symbol sequence memory"; paragraph 21: "ROM 64 contains, in 172 successive memory locations, digital values corresponding to the successive ones and zeroes of a

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PN sequence to be correlated with the received symbol samples through the action of accumulators 71 and 72."); storing a second scan window of the digital information (Lefever figs. 3, 4, 5: R2i is stored in ROM.); and scanning the second scan window (Lefever fig. 4: R2i) for all instances of a second symbol of the symbol information (Lefever fig. 4: R2i is correlated in the frames and this involves scanning; fig. 3: 64: "ROM known symbol sequence memory"; paragraph 21: "ROM 64 contains, in 172 successive memory locations, digital values corresponding to the successive ones and zeroes of a PN sequence to be correlated with the received symbol samples through the action of accumulators 71 and 72.") What Lefever does not teach is symbol information. It would have been obvious to one skilled in the art at the time of the invention to modify Lefever to teach symbol information since Lefever teaches symbols and since the symbols are a sequence of 1s and 0s, they have information.

6. As per claim 9, Lefever teaches the method of claim 7 wherein scanning the first scan window (Lefever fig. 4: R1i) is achieved by a first PN code (Lefever col. 8 line 26: "PN sequence R1") and scanning the second scan window (Lefever fig. 4: R2i) is achieved with a second PN code (Lefever paragraph 21: "ROM 64 contains, in 172 successive memory locations, digital values corresponding to the successive ones and zeroes of a PN sequence to be correlated with the received symbol samples through the action of accumulators 71 and 72.").

7. As per claim 18, Lefever teaches the method of claim 7, wherein the second symbol immediately follows the first symbol in the symbol information (Lefever fig. 4: R2i follows R1i).

8. As per claim 19, Lefever teaches the method of claim 7, wherein the second scan window overlaps the first scan window (Lefever fig. 4: R1i and R2i overlap in scanning over the same frame).

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Allowable Subject Matter

9. Claims 1, 2, 3 are allowed based on prior action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pankaj Kumar whose telephone number is (703) 305-0194. The examiner can normally be reached on Mon, Tues, Wed and Thurs after 8AM to after 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad H. Ghayour can be reached on (703) 306-3034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PK

TEMESGHEN GHEBRETINSAE
PRIMARY EXAMINER
6/11/14